



Law

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yoshikazu KASUYA

Group Art Unit: 2826

Application No.: 10/689,993

Examiner: T. Tran

Filed: October 22, 2003

Docket No.: 117577

For: SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURING THE SAME

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the February 10, 2005 Restriction and Election of Species Requirement, Applicant provisionally elects Group I, claims 1-5 drawn to a semiconductor device, classified in class 257, subclass 324 and Species A, directed to Figures 1-3 and 18, with traverse. At least claims 1-3 read on this Species, with claim 1 being generic.

It is also respectfully submitted that the subject matter of all claims and species are sufficiently related that a thorough search for the subject matter of any one Group of claims or species would encompass a search for the subject matter of the remaining claims or species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should

apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction and Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: March 3, 2005

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